IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 945 of 1983

New Era Builders .. Plaintiff

versus

Naresh Athavale & ors ..Defendants

...

Mr.Mahimtura for Plff

None for Defts

CORAM : D.G. KARNIK, J

DATED : 8th July 2005.

P.C.

1. Heard learned counsel for the plaintiff. None present for the defendants. None of the defendants have filed the written statement. Learned counsel for the plaintiff states that in view of the fact that the defendants have not filed the written statement, the defendants would press only for reliefs of money decree in terms of prayer clauses

(dd) and (i) and the suit may be heard under Order 8 Rule 10 of the Code of Civil Procedure. The plaintiff specifically gives up rest of the claims in the plaint. The defendants have not filed the written statement. Suit of the plaintiff is decreed in terms of the prayer clauses (dd) and (i) under Order 8 Rule 10 of the Code of Civil Procedure. Rest of the prayers are dismissed as not pressed.

D.G.KARNIK, J